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AMENDMENTS TO THE CLAIMS:

The following listing of claims replaces all prior versions and listings of claims in the application:

1. (Original) An isolated nucleic acid having at least 30% sequence identity to SEQ ID NO:1.
2. (Canceled)
3. (Previously presented) A nucleic acid construct comprising the nucleic acid of claim 1 operably linked to a heterologous nucleic acid.
4. (Original) A transgenic plant cell containing the nucleic acid construct of claim 3.
5. (Original) A transgenic plant containing the nucleic acid construct of claim 3.
6. (Original) A method of making a transgenic plant cell, comprising:  
introducing the nucleic acid construct of claim 3 into a plant cell; and  
selecting a plant cell that contains said nucleic acid construct.
7. (Original) A method of making a transgenic plant, comprising introducing the nucleic acid construct of claim 3 into a plant.
8. (Original) The isolated nucleic acid of claim 1, wherein said nucleic acid has 75% or greater sequence identity to SEQ ID NO:1.
9. (Original) The isolated nucleic acid of claim 1, wherein said nucleic acid has 95% or greater sequence identity to SEQ ID NO:1.
10. (Original) The isolated nucleic acid of claim 1, wherein said nucleic acid is SEQ ID NO:1.
11. (Canceled)
12. (Canceled)
13. (Canceled)
14. (Original) The isolated nucleic acid of claim 1, wherein said isolated nucleic acid is at least 50 nucleotides in length.
15. (Original) The isolated nucleic acid of claim 1, wherein said isolated nucleic acid is at least 100 nucleotides in length.
16. (Original) The isolated nucleic acid of claim 1, wherein said isolated nucleic acid is at least 500 nucleotides in length.
17. (Canceled)
18. (Canceled)
19. (Canceled)
20. (Original) The isolated nucleic acid of claim 8, wherein said nucleic acid has 85% or greater sequence identity to SEQ ID NO:1.

21. (Original) The isolated nucleic acid of claim 9, wherein said nucleic acid has 98% or greater sequence identity to SEQ ID NO:1.
22. (Canceled)
23. (Canceled)
24. (Canceled)